

IN RE: PETITION FOR ZONING VARIANCE
SW/Corner Bear Creek Drive
and Park Drive
(8327 Bear Creek Drive)
12th Election District
7th Councilmanic District
Richard Dale Lentz, et ux
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 89-119-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit an accessory building outside of the third of the lot farthest removed from any street, and to permit a side yard setback of 1 foot in lieu of the required 2 and 1/2 feet, as more particularly described in Petitioner's Exhibit 1.

The Petitioners appeared and testified. Mr. & Mrs. Peter Wojcik, adjoining property owners, appeared as Protestants.

Testimony indicated that the subject property, known as 8327 Bear Creek Drive and zoned D.R. 5.5, is currently improved with a semi-detached dwelling. The subject property is located at the corner of Bear Creek Drive and Park Drive and is Petitioners' residence. The Protestants' property is to the rear of the subject property and is the first house on Park Drive on the same side of the street as Petitioners' property.

Testimony indicated that in October 1987, Petitioners placed two pre-fabricated sheds, one 10' x 12' and one 10' x 8' in the rear of the subject property. Petitioners had obtained a permit for one shed prior to commencing construction. In June 1988, Petitioners were advised that the placement of the 10' x 8' shed was in violation of the zoning regulations and that the shed must either be removed or Petitioners must file a Petition for Variance. Petitioners subsequently filed the instant Petition. Petitioners testified they need the shed in its present location due to

the lack of adequate room in their rear yard. They further contend the sheds are needed to protect tools and equipment owned by them. Mr. Lentz indicated that in order to place the shed in the required one third of the rear yard, they would have to remove a beautiful, mature tree, which they enjoy both for its beauty and its protection from the sun. Petitioners further contend that the cost of removing the shed would create financial hardship for them.

In support of Petitioners request, Petitioners introduced letters from neighbors across the street on Park Drive indicating they have no objections to the location of the shed, and from a resident of Bear Creek Drive.

The Protestants testified they felt the shed should be removed as its present location blocks their view creating a hazard. Pictures were introduced by both parties depicting the situation.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

-2-

After due consideration of the testimony and evidence presented, there is insufficient evidence to allow a finding that the Petitioners would experience practical difficulty or unreasonable hardship if the requested variance were denied. The testimony presented by Petitioners was in support of a matter of preference rather than of the necessity for the variance. The Petitioners have failed to show that compliance would unreasonably prevent the use of the property or be unnecessarily burdensome. While the Petitioners indicated the building permit had been approved, the permit was not obtained until after Petitioners had commenced construction of the shed and the permit was only for one shed. A review of the pictures clearly indicates Petitioners have over-developed the property. Therefore, the variance requested must be denied.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be denied.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 15th day of December, 1988 that the Petition for Zoning Variance to permit an accessory building outside of the third of the lot farthest removed from any street, and to permit a side yard setback of 1 foot in lieu of the required 2 and 1/2 feet, as more particularly described in Petitioner's Exhibit 1, be and is hereby DENIED.

AMN:bjs

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

-3-

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
897-3353
J. Robert Haines
Zoning Commissioner

December 15, 1988

Mr. & Mrs. Richard D. Lentz
8327 Bear Creek Drive
Baltimore, Maryland 21222

RE: PETITION FOR ZONING VARIANCE
SW/Corner Bear Creek Drive and Park Drive
(8327 Bear Creek Drive)
12th Election District - 7th Councilmanic District
Richard Dale Lentz - Petitioners
Case No. 89-119-A

Dear Mr. & Mrs. Lentz:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been denied in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Mr. & Mrs. Peter Wojcik
1700 Park Drive, Baltimore, Md. 21222

People's Counsel

File

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

89-119-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 902.1 to permit an accessory building outside of the third of the lot farthest removed from any street, and to permit a side yard setback of 1 foot in lieu of the required 2-1/2 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty.)

SEE ATTACHED

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Attorney's Telephone No.:
Address
Phone No.

Legal Owner(s):
Richard Dale Lentz
(Type or Print Name)
Signature
Regina Marie Lentz
(Type or Print Name)
Signature
8327 BEAR CREEK DR. 21222
Address
Phone No.
DUNDALK, MARYLAND 21222
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Name
Address
Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day

of 1988, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 1st day of 1989, at 2 o'clock

J. Robert Haines
Zoning Commissioner of Baltimore County.

(over)

HARDSHIP OR PRACTICAL DIFFICULTY

WE ARE ASKING A SPECIAL EXCEPTION SO WE CAN LEAVE THESE STRUCTURES WHERE THEY NOW SET.

1. WE NEED THE CAR PORT BECAUSE THERE IS NO PARKING ON THE STREET. THE FEW TIMES VEHICLES WERE LEFT PARKED ON THE STREET THEY WERE DAMAGED BY PASSING VEHICLES. WE HAVE ALSO BEEN ASKED BY THE LOCAL FIRE DEPARTMENT NOT TO PARK ON THE STREET, BECAUSE IT MAKES IT DIFFICULT TO MANEUVER THE LARGE FIRE TRUCKS UP AND DOWN THE STREET IN THE CASE OF A FIRE.

2. WE ARE ASKING TO LEAVE THESE SHEDS WHERE THEY ARE BECAUSE THERE IS NO ROOM FOR THEM IN THE REAR OF THIS YARD. THE POOLS AND EQUIPMENT STORED IN THESE SHEDS I USE IN MY JOB AND TO MAINTAIN MY HOME AND PROPERTY. IN ORDER TO PUT THE SHED IN THE REAR END OF THE YARD WE WOULD HAVE TO CUT DOWN A BEAUTIFUL MATURE TREE. THIS TREE GIVES US THE ONLY SHADE FROM THE HOT SUN IN THE YARD. IT JUST HAPPENS TO BE IN THE REAR END WHERE ARTICLE 400.1 STATES THE SHED SHOULD BE.

3. WE FEEL IF THE SHED SHOULD HAVE TO BE MOVED IT IS GOING TO COST A GREAT DEAL OF MONEY TO FIRST, MOVE AND STORE THE TOOLS AND EQUIPMENT, AND SECOND, THE COST INVOLVED TO ASK RIGGING CO. TO COME AND MOVE THE SHEDS. MOVING THE SHEDS WOULD SURELY CAUSE SERIOUS DAMAGE TO THE STRUCTURES. THE SHEDS WERE BOUGHT FOR A GREAT DEAL OF MONEY, TO MOVE AND DAMAGE THE SHEDS WOULD MAKE THEM USELESS TO ANYONE.

4. ALTHOUGH WE MADE A MISTAKE IN PLACING THE STRUCTURES IN THIS PART OF THE YARD, BALTIMORE COUNTY MUST ASSUME PART OF THE RESPONSIBILITY FOR THIS PROBLEM. IN DEALING WITH BALTIMORE COUNTY WE FILED AND RECEIVED A PERMIT FOR THE SHED. AT THIS TIME THE PEOPLE AT THE DUNDALK BLDG. PERMIT OFFICE DID NOT INFORM US THAT THE SHED HAD TO BE IN THE BACK THIRD OF THE YARD. AFTER TEN DAYS OR SO WE TALKED TO THE BALTIMORE COUNTY BUILDING INSPECTOR. THE INSPECTOR SAID THAT HE SIGNED OFF ON THE PERMIT AND EVERYTHING WAS OK. AGENTS NOT TELLING US THE SHED WAS NOT IN THE RIGHT PART OF THE YARD. WE KNOW EVERYONE MAKES MISTAKES, ALL WE ARE ASKING IS TO LEAVE EVERYTHING AS IT IS.

MR. RICHARD D. & MRS. REGINA M. LENTZ
PROPERTY DESCRIPTION FOR ZONING VARIANCE

LOT SIZE 23.34 FT. X 112.36 FT. X 44.89 FT.
DISTRICT 12
ZONED DR 5.5
SUBDIVISION ROSEWALD BEACH
LOT PART OF #442-443-444-445

Beginning for the same at the corner formed by the intersection of the northwesternmost line of Park Drive with the southwesternmost line of Bear Creek Drive as shown on the Plat of Rosewald Beach, recorded among the Plat Records of Baltimore County, Maryland, in Plat Book L.McL.M. No. 10, Folio 88, and running thence binding along said southwesternmost line of Bear Creek Drive North 42 degrees 44 minutes West 23.34 feet to a point in line with the center of the partition wall erected between the house on the lot now being described and the house on the lot adjoining thereto on the northwest, thence South 46 degrees 57 minutes 30 seconds West to and through the center of said partition wall and continuing the same course in all 112.36 feet to a point on the southwesternmost line of Lot No. 445 as shown on the aforesaid plat, thence binding along part of the southwesternmost line of said Lot No. 445 South 46 degrees 32 minutes East 44.89 feet to a point on the aforesaid northwesternmost line of Park Drive, thence binding along the northwesternmost line of Park Drive North 43 degrees 28 minutes East 50 feet and 62.94 feet along the arc of a curve to the left having a radius of 132.58 feet to the point of beginning. The improvements thereon being known as 8327 Bear Creek Drive.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th
Posted for: Variance
Petitioner: Richard Dale Lentz et ux
Location of property: SW/Corner Bear Creek & Park Dr.
Location of Sign: Facing Bear Creek Drive, across 3rd St.
Remarks: No objection to property of R.D. Lentz
Posted by: J. Robert Haines
Number of Signs: 1
Date of return: 9/16/88

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 19, 1988

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Sept 6, 1988.

THE JEFFERSONIAN,

Publisher

SALES & LEGAL NOTICES

NOTICE OF HEARINGS

The Zoning Commissioner of Baltimore County, by authority of the Zoning and Planning & Zoning Department of Baltimore County will hold a public hearing on the property described herein in Room 106 of the County Office Building, located at 711 W. Chesapeake Avenue in Towson, Maryland at 2:00 p.m.

Petitioner: Richard Dale Lentz, et ux
Hearing Date: Friday, Oct. 7, 1988 at 2:00 p.m.

Variance to permit an accessory building outside of the third of the lot farthest removed from any street, and to permit a side yard setback of 1 foot in lieu of the required 2-1/2 feet. In the event that this Petition is granted, a building permit must be obtained within the 30 day appeal period. The Zoning Commission will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be made in writing and received in the office by the date of the hearing or before or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
9/21/88 Sept. 8

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

4 N. Center Place
P.O. Box 8936
Dundalk, Md. 21222

Sept. 8, 1988 19

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hearings - Case #89-119-A - P.O. #04136 - Reg. #M18974 - 92 was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for one successive week before the 9th day of September 19 88; that is to say, the same was inserted in the issues of Sept. 8, 1988

Kimbel Publication, Inc.
per Publisher.

By *K.C. Decker*

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Tower, Maryland 21204
494-3333

NOTICE OF HEARING
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-119-A
8327 Bear Creek Drive
Dundalk, Maryland 21222

HEARING SCHEDULED: FRIDAY, OCTOBER 7, 1988 at 2:00 p.m.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

89-119-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 3rd day of August, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner Richard D. Lentz, et ux
Attorney Petitioner's

Received by: Chairman, Zoning Plans Advisory Committee

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

Date: 9/14/88

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner

Mr. & Mrs. Richard Dale Lentz
8327 Bear Creek Drive
Dundalk, Maryland 21222

Re: Petition for Zoning Variance
CASE NUMBER: 89-119-A
84 Corner Bear Creek and Park Drives
(8327 Bear Creek Drive)
12th Election District - 7th Councilmanic
Petitioner(s): Richard Dale Lentz, et ux
HEARING SCHEDULED: FRIDAY, OCTOBER 7, 1988 at 2:00 p.m.

Dear Mr. & Mrs. Lentz:

Please be advised that \$98.50 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner of Baltimore County

JRH:gs
cc: File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

Date: August 24, 1988

Dennis F. Rasmussen
Dennis F. Rasmussen
County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 89-119-A
84 Corner Bear Creek and Park Drives
(8327 Bear Creek Drive)
12th Election District - 7th Councilmanic
Petitioner(s): Richard Dale Lentz, et ux
HEARING SCHEDULED: FRIDAY, OCTOBER 7, 1988 at 2:00 p.m.

Variance to permit an accessory building outside of the third of the lot farthest removed from any street, and to permit a side yard setback of 1 foot in lieu of the required 2 1/2 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

cc: Richard Dale Lentz, et ux
Chesapeake Bay Critical Area Commission
File

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 52989

DATE 7/21/88 ACCOUNT R-01-615

AMOUNT \$ 35.00

RECEIVED FROM RICHARD LENTZ

FOR ESSENTIAL VARIANCE (ITEM # 28)

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 59080

DATE 10/7/88 ACCOUNT R-01-615-100

AMOUNT \$ 98.50

RECEIVED FROM Richard Dale Lentz

FOR Item 28

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 28, 1988

Mr. & Mrs. Richard D. Lentz
8327 Bear Creek Drive
Dundalk, Maryland 21222

RE: Item No. 28 - Case No. 89-119-A
Petitioner: Richard D. Lentz, et ux
Petition for Zoning Variance

Dear Mr. & Mrs. Lentz:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
494-3334

August 24, 1988

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 480, 5, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 23, 25, 26, 28, 29, 30, 31, 32, 33, 36, 37, 38, 39 and 40.

Very truly yours,

Stephen E. Weber
Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/RP/lab

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4300

August 1, 1988

Paul H. Reincke
Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

Re: Property Owner: Richard Dale Lentz, et ux
Location: SW corner of Bear Creek and Park Drives
Item No.: 28 Zoning Agenda: Meeting of 8/2/88

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER *John F. O'Neill* Noted and Approved: *John F. O'Neill*
Planning Group Fire Prevention Bureau
Special Inspection Division

5/31

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Mr. Robert W. Sheesley

SUBJECT: LENTZ PROPERTY - Zoning Variance Item #28
8327 Bear Creek Drive - Rosewald Beach

DATE: August 10, 1988

Subject property is located on the northwest corner of Bear Creek Drive and Park Drive in Rosewald Beach, Baltimore County. The applicant has requested a zoning variance to permit reduced side yard setbacks for a proposed car port. This property is within the Chesapeake Bay Critical Area and is classified as Limited Development Area.

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding that projects are consistent with the following goals of the Critical Area Law:

1. Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts. (COMAR 14.15.10(C)(1)(2)(3))

The proposed development will comply with the law provided that the zoning petition is conditioned on compliance with the following requirements:

1. Two major deciduous trees or four conifers planted and maintained on the lot. A combination of these two tree types is acceptable provided that 2,000 square feet of tree cover is provided. A major deciduous tree is estimated to cover 1,000 square feet and a conifer, 500 square feet at maturity.
2. Storm water runoff from impervious surfaces associated with this petition should be directed over pervious areas such as lawn to encourage maximum infiltration.

5th Ave File

File

RECEIVED
AUG 15 1988
ZONING OFFICE

Mr. J. Robert Haines
August 10, 1988
Page 2

3. Rooftop runoff should be directed through down-spouts and into a dry well of approved design to encourage maximum infiltration (see attached dry well design).

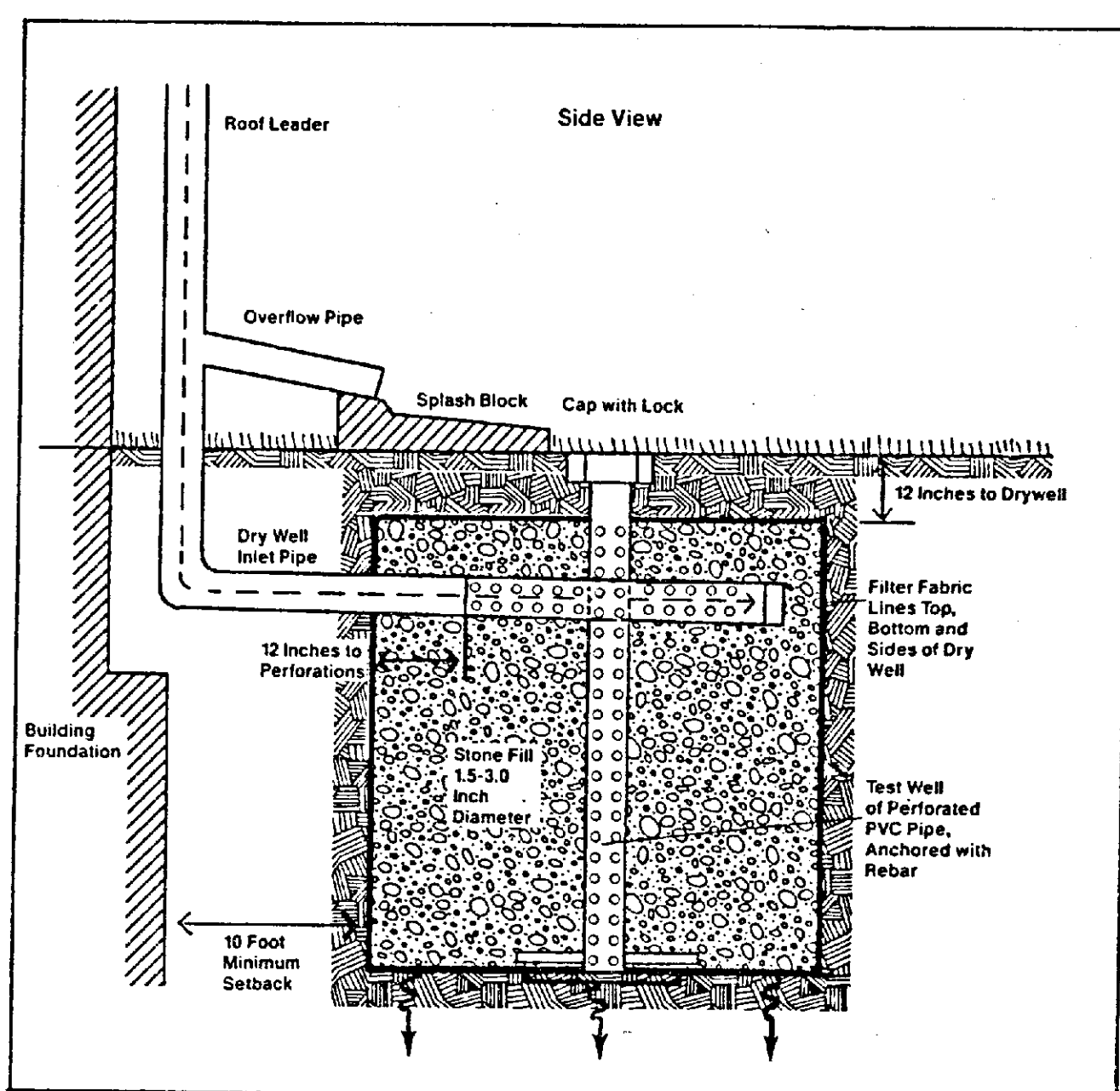
Upon compliance with the above recommendations this project is approved. Please contact Mr. David C. Flowers at 494-3980 if you have any questions.

Robert W. Sheesley
Robert W. Sheesley, Director
Department of Environmental Protection
and Resource Management

RWS:DCF:tlg
Attachment

DESIGN 4:
Dry Well Designs. (Figure 5.8). Dry wells are a basic trench variation which are designed exclusively to accept rooftop runoff from residential or commercial buildings (Figure 5.8). Additional guidance on dry well design is available from Md WRA (1984). Basically, the leader from the roof is extended into an underground trench, which is situated a minimum of ten feet away from the building foundation. Rooftop gutter screens are needed to trap any particles, leaves and other debris, and must be regularly cleared.

Figure 5.8: Dry Well Design (adapted from Md WRA, 1986)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
Zoning Commissioner

Date: September 27, 1988

TO: Pat Keller, Deputy Director
FROM: Office of Planning and Zoning

SUBJECT: Zoning Petition Nos. 89-111-A (Obrecht); 89-112-A (Martin);
89-117-A (Glen Hill) and 89-119-A (Lentz)

The Office of Planning and Zoning has no comment on the above listed projects.

FK/af

RECEIVED
SEP 30 1988
ZONING OFFICE

Mr. & Mrs. Lentz
10/3/88

OCT. 3 1988

CPS-008

PERMIT
BALTIMORE COUNTY MARYLAND
OFFICE OF THE BUILDING ENGINEER
TOWSON, MARYLAND 21204

BUILDING ADDRESS: 8327 BEAR CREEK DR		DATE: 10/19/88	
OWNER'S NAME: RICHARD D. LENTZ		DATE: 10/19/88	
ADDRESS: 8327 BEAR CREEK DR		DATE: 10/19/88	
CITY: BALTIMORE		DATE: 10/19/88	
STATE: MARYLAND		DATE: 10/19/88	
ZIP: 21222		DATE: 10/19/88	
TYPE OF IMPROVEMENT: IMPROVED		DATE: 10/19/88	
TYPE OF WATER SUPPLY: PUBLIC SYSTEM		DATE: 10/19/88	
TYPE OF SEWER DISPOSAL: PUBLIC SYSTEM		DATE: 10/19/88	
TYPE OF FLOORING: CONCRETE		DATE: 10/19/88	
TYPE OF ROOFING: ASPH/FLT		DATE: 10/19/88	
TYPE OF EXTERIOR FINISH: BRICK		DATE: 10/19/88	
TYPE OF INTERIOR FINISH: CARPET		DATE: 10/19/88	
TYPE OF PAINT: WHITE		DATE: 10/19/88	
TYPE OF GLASS: CLEAR		DATE: 10/19/88	
TYPE OF DOORS: WOOD		DATE: 10/19/88	
TYPE OF WINDOWS: WOOD		DATE: 10/19/88	
TYPE OF STAIRS: WOOD		DATE: 10/19/88	
TYPE OF ELEVATOR: NONE		DATE: 10/19/88	
TYPE OF HALLWAYS: WOOD		DATE: 10/19/88	
TYPE OF BATHS: WOOD		DATE: 10/19/88	
TYPE OF KITCHENS: WOOD		DATE: 10/19/88	
TYPE OF LIVING ROOMS: WOOD		DATE: 10/19/88	
TYPE OF BEDROOMS: WOOD		DATE: 10/19/88	
TYPE OF ATTIC: WOOD		DATE: 10/19/88	
TYPE OF GARAGE: WOOD		DATE: 10/19/88	
TYPE OF PORCHES: WOOD		DATE: 10/19/88	
TYPE OF DECKS: WOOD		DATE: 10/19/88	
TYPE OF PATIOS: WOOD		DATE: 10/19/88	
TYPE OF FENCES: WOOD		DATE: 10/19/88	
TYPE OF GARDENS: WOOD		DATE: 10/19/88	
TYPE OF TREES: WOOD		DATE: 10/19/88	
TYPE OF SHRUBS: WOOD		DATE: 10/19/88	
TYPE OF FLOWERS: WOOD		DATE: 10/19/88	
TYPE OF LANDSCAPING: WOOD		DATE: 10/19/88	
TYPE OF LIGHTING: WOOD		DATE: 10/19/88	
TYPE OF SOUND: WOOD		DATE: 10/19/88	
TYPE OF SECURITY: WOOD		DATE: 10/19/88	
TYPE OF OTHER: WOOD		DATE: 10/19/88	

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(410) 887-3353

J. Robert Haines
Zoning Commissioner

March 30, 1989

Mr. Richard Lentz
8327 Bear Creek Road
Baltimore, Maryland 21222

RE: Petition for Variance
SW/Corner Bear Creek and Park Drives
(8327 Bear Creek Road)
12th Election District
Case Nos. 89-119-A
C-89-2260

Dear Mr. Lentz:

Please be advised that on March 23, 1989 I conducted an inspection of your property after our recent telephone conversation wherein you stated that you were in compliance with the Deputy Zoning Commissioner's Order (Case No. 89-119-A). The Deputy Zoning Commissioner denied your request for variance and restricted you from placing an accessory building in the outside third of the lot with a setback of only one foot. I noted during my inspection that the boat has been removed, the screen house has been taken down and the sheds have been moved. However, I must inform you that the covered carport is still in violation of the Deputy Zoning Commissioner's Order. The carport is considered an accessory structure according to the Baltimore County Zoning Regulations.

There are still options available to you to remedy the situation. You may try to obtain a waiver from the complainants, since the sheds have been moved, they may not object to the carport. You may also file a Petition for Variance to allow for the carport or remove same. This office will not take any formal action until May 1, 1989 since you have requested an extension. You may also request, in writing to the Deputy Zoning Commissioner, that this date be extended.

If I can be of any further assistance, please do not hesitate to contact me at 887-8091.

Sincerely,

CRAIG MCGRAW
Zoning Inspector

CMS:ecb

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence

TO: James H. Thompson
Zoning Enforcement

DATE: January 19, 1989

FROM: Ann M. Nastarowicz
Deputy Zoning Commissioner

SUBJECT: Petition for Zoning Variance
SW/Corner Bear Creek and Park Drives
(8327 Bear Creek Drive)
Richard Dale Lentz, et ux - Petitioners
Case No. 89-119-A

Enclosed please find a copy of a letter dated January 19, 1989 to the above-captioned resident. Please have an inspector investigate the subject property after May 1, 1989 to verify compliance with the denied variance petition and the zoning regulations regarding storage of the recreational vehicle (boat).

If you have any questions on the subject, please do not hesitate to ask. Thank you for your assistance in this matter.

AMN:bjs

cc: Case Files

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

January 19, 1989

Mrs. Regina Lentz
8327 Bear Creek Road
Baltimore, Maryland 21222

RE: Petition for Zoning Variance
SW/Corner Bear Creek and Park Drives
(8327 Bear Creek Drive)
12th Election District - 7th Councilmanic District
Richard Dale Lentz, et ux - Petitioners
Case No. 89-119-A

Dear Mrs. Lentz:

This office is in receipt of your letter dated January 13, 1989 in which you confirmed the "relocation of the shed" in the above-captioned matter would take place on or before May 1, 1989. This office has extended your deadline to May 1, 1989 on which compliance with Section 400.1 of the Baltimore County Zoning Regulations must be met; however, it should be noted that both sheds may be in violation. In addition, please be advised that pursuant to the testimony presented at the hearing held on October 7, 1988, the storage location for the recreational vehicle (boat) may be in violation of the zoning regulations. No action in that matter will be taken by the Zoning Enforcement Office until May 1, 1989.

Should you have any questions on the subject, please do not hesitate to contact me at 887-3355. Thank you for your consideration in this matter.

Very truly yours,

Ann M. Nastarowicz
ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: James H. Thompson
Case Files

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

July 21, 1988

Mr. Richard Lentz
8327 Bear Creek Drive
Dundalk, Maryland 21222

RE: Critical Area Requirements

Dear Mr. Lentz:

It came to my attention that your property is within the Chesapeake Bay Critical Area. There are some new regulations pertaining to this area which will require that you notify the Department of Environmental Planning and Resource Management of your variance petition (item #28) filed with the Zoning office on July 21, 1988. They require that the notification be by certified letter.

The address is: D.E.P.R.M.
Room 416
New Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Attention: Dave Flowers

Should you need further assistance do not hesitate to call me at 494-3391.

Very truly yours,

John L. Lewis
John L. Lewis
Planning & Zoning Associate II

JLL:dt

Copy of letter sent 7/21/88

Mrs. Regina Lentz
8327 Bear Creek Drive
Baltimore, Maryland 21222

January 13, 1989

Ms. Ann M. Nastarowicz
Deputy Zoning Commissioner
for Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

Re: Case No. 89-119-A

Dear Ms. Nastarowicz:

This letter will confirm our telephone conversation today in which we mutually agreed upon a deadline of May 1, 1989 for the relocation of the shed in question.

Thank you for your time and understanding.

Sincerely,

Mrs. Regina Lentz
Regina Lentz (Mrs.)

RL:acd

CERTIFIED MAIL

RECEIVED
JAN 17 1989

ZONING OFFICE

Ms. ANN M. NASTAROWICZ
DEPUTY ZONING COMMISSIONER FOR BALTO COV
OFFICE OF PLANNING & ZONING
111 W. CHESAPEAKE AVE
TOWSON MARYLAND 21204

CERTIFIED

P 793 073 607

MAIL

RETURN RECEIVED
REQUESTED

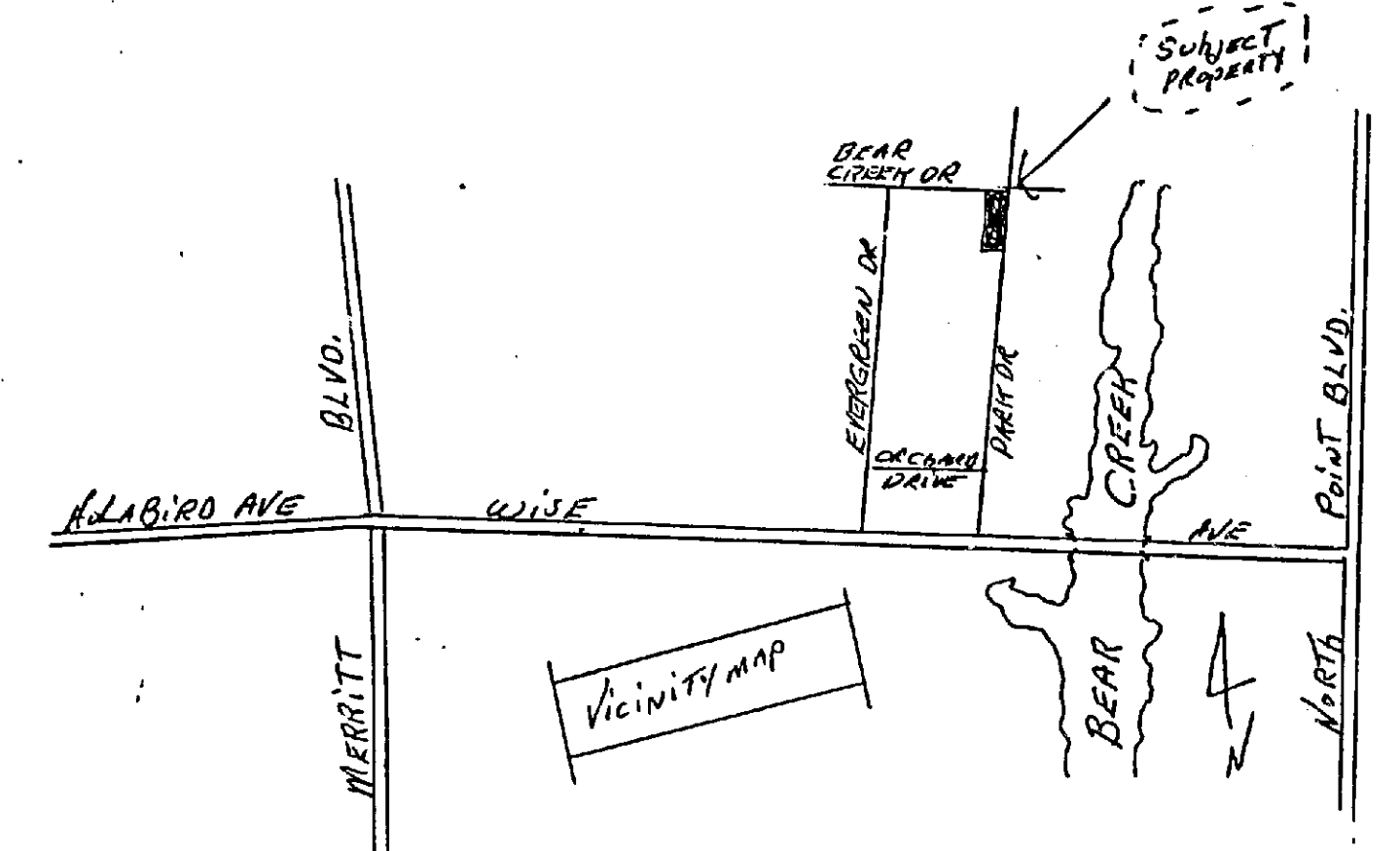
619051

PLEASE PRINT CLEARLY PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Richard Lentz</i>	<i>8327 BEAR CREEK DR #2122</i>
<i>Regina Lentz</i>	<i>8327 Bear Creek Dr</i>

PLEASE PRINT CLEARLY PROTESTANT(S) SIGN-IN SHEET

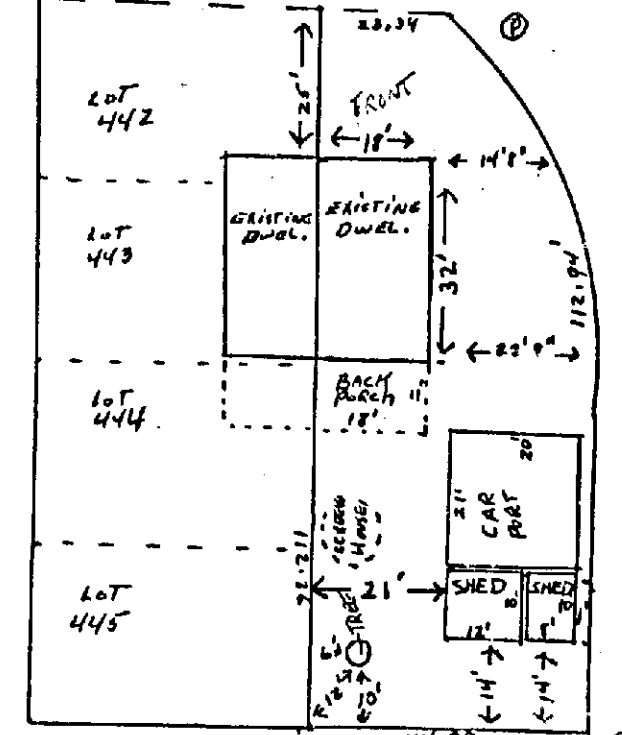
NAME	ADDRESS
<i>BESSIE WOJCIK</i>	<i>1700 PARK DRIVE</i>
<i>PETER WOJCIK</i>	<i>1700 PARK DRIVE</i>



BEAR CREEK DR.

Plat For Zoning Variance At
8327 Bear Creek Dr.
Owners: Richard D. & Regina M. Lentz
Lot Size 23.34 Ft. X 112.36 Ft. X 44.89 Ft.
District 12 Zoned D.R. 5.5
Subdivision: Rosewald Beach
Part Of Lots 442-443-444-445
Book #10 Folio 88

4,428 sq. ft. .10 ACRES



PETITIONER'S
EXHIBIT # 1

Within Critical Area

CRITICAL AREA

BALTIMORE COUNTY
DEPARTMENT OF PERMITS AND LICENSES
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204
CASH SLIP RECEIPT
No. A 18464
DATE

CHECK ITEM	APPLICANT'S ADDRESS	ITEMS	CODE #	FEE
		Amusement Devices	01.201	
		Taxicabs	01.204	
		Electrical Adm. Board Licenses	01.221	
		Plumbing Board Licenses	01.222	
		Solicitors & Conveyors Permit	01.224	
		Towing Vehicles License	01.233	
		Refuse Collectors & Disposers' Permits	01.235	
		Fire Prevention Code	01.236	
		Public Swimming Pool & Bathing Beach	01.250	
		Animal Licenses	01.304	
		Trailer Permits	01.305	
		Electrical Permits	01.307	
		Amusement Device Penalties	01.308	
		Animal License Penalties	01.309	
		Bingo Applications	01.609	
		Electrical Adm. Board Examination Fees	01.610	
		Electrical Adm. Board Tuition-Cash School	01.611	
		Trailer Camps	01.671	
		Control of Day Nurseries	01.672	
		Petitioner's Tests	01.675	
		Food Service Facility Permit	01.677	
		Bingo Licenses	01.678	
		Wastewater Discharge	01.679	
		Water Pump Permit	01.680	
		County Financing Application	01.681	
		Abandoned Water Meters	01.682	
		Water Applications	01.683	
		Water Meter Fee	01.684	
		Sewer House Connection Applications	01.685	
		Plumbing Permit Application	01.686	
		Sub-soil Drain Permit Applications	01.687	
		Storm Drain Applications	01.688	
		Septic Tank Permits	01.689	
		Gas Permit Applications	01.690	
		Sewer Service Charge Pro-rated	01.691	
		Sewer System Connection Charge	01.692	
		Water System Connection Charge	01.693	
		Water Distribution Account	01.694	
		Water Surcharge	01.695	
		Change of Occupancy	01.696	
		Building Permit Applications	01.697	
		TOTAL (Make check payable to Baltimore County, Md.)		

PETITIONER'S
EXHIBIT # 2

ZONING ENFORCEMENT SECTION TELEPHONE: 494-3351

CORRECTION NOTICE FOR ALLEGED ZONING VIOLATION

CASE NUMBER C- *88-2260* ELECTION DISTRICT: *12*
LOCATION: *8327 Bear Creek Drive*

PLEASE BE ADVISED THAT AN INSPECTION OF THE ABOVE REFERENCED LOCATION REVEALED:

☐ THERE WAS NO VIOLATION OBSERVED AND THE CASE WILL BE CLOSED.

☒ THERE IS AN APPARENT VIOLATION AND THE FOLLOWING CORRECTION IS REQUIRED:

Remove Accessory Building (Shed)
From Present Location OR File
For Variance To Section 400.1
Baltimore County Zoning Regulations
Which States Accessory Building Locate
ON Corner Lots, Must Be Placed
IN REAR 1/3 OF LOT. Farthest
From Corner
Any Questions Please Call 494-3351

FAILURE TO COMPLY BY *7-16-88* WILL RESULT IN THE ISSUANCE OF A CITATION WHEREIN YOU ARE SUBJECT TO A CIVIL PENALTY OF \$200.00 FOR EACH VIOLATION, AND EACH DAY SHALL BE CONSIDERED A SEPARATE VIOLATION (BALTIMORE COUNTY BILL #132-85).

☐ COMPLIANCE HAS BEEN ATTAINED AND THE CASE WILL BE CLOSED.

INSPECTOR: *Wayne Flera*
COPIES: WHITE - Defendant Original
GREEN - Defendant Duplicate
YELLOW - Complainant
PINK - File
GOLD - Inspection Report

PETITIONER'S
EXHIBIT # 3
7-16-88

July 12, 1988

To Whom It May Concern:

I am issuing this letter in order to voice my opinion concerning Mr. Richard D. and Mrs. Regina M. Lentz and the problem with the location of their sheds and car port. As a member of the community and an adjacent neighbor, I do not have a problem with the location of the sheds or the car port. The structures do not harm the beauty of the neighborhood nor do they pose a problem.

Thank-You for listening to my statement.

Sincerely,
Mr. & Mrs. Dennis L. McLaughlin
1701 Park Drive

PETITIONER'S
EXHIBIT # 4

July 12, 1988

To Whom It May Concern:

I am issuing this letter in order to voice my opinion concerning Mr. Richard D. and Mrs. Regina M. Lentz and the problem with the location of their sheds and car port. As a member of the community and an adjacent neighbor, I do not have a problem with the location of the sheds or the car port. The structures do not harm the beauty of the neighborhood nor do they pose a problem.

Thank-You for listening to my statement.

Sincerely,
Mr. & Mrs. Ralph E. Wright
8325 Bear Creek Dr.

PETITIONER'S
EXHIBIT # 5

July 12, 1968

To Whom It May Concern:

I am issuing this letter in order to voice my opinion concerning Mr. Richard D. and Mrs. Regina M. Lentz and the problem with the location of their sheds and car port. As a member of the community and an adjacent neighbor, I do not have a problem with the location of the sheds or the car port. The structures do not harm the beauty of the neighborhood nor do they pose a problem.

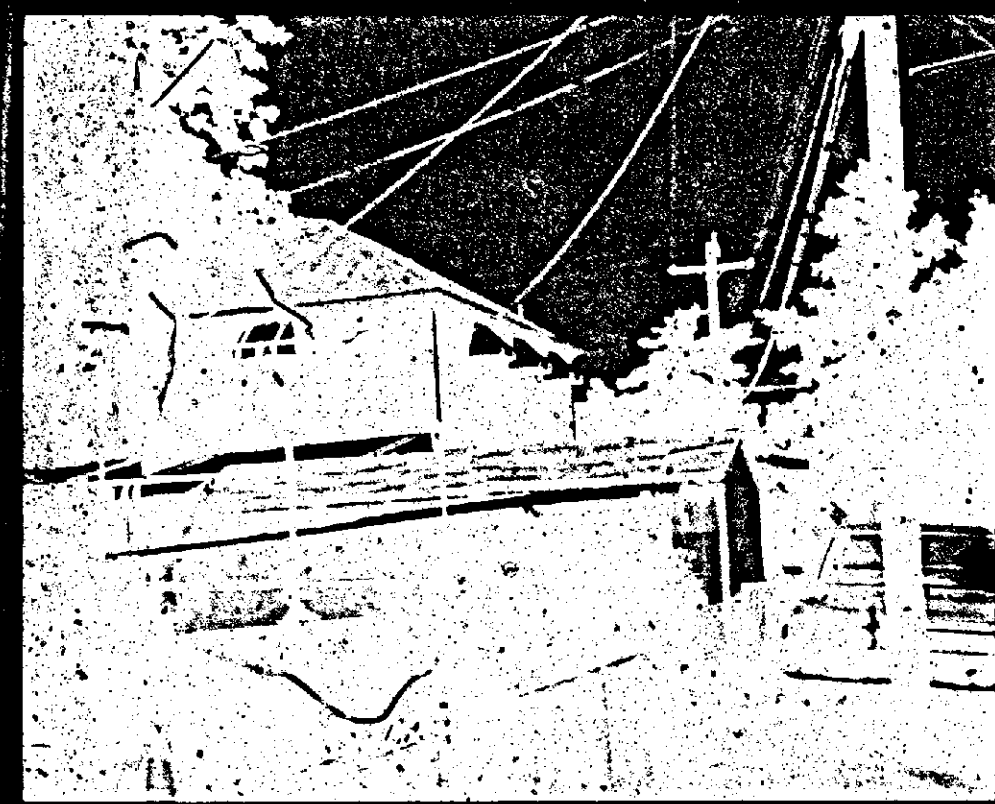
Thank-You for listening to my statement.

Sincerely,

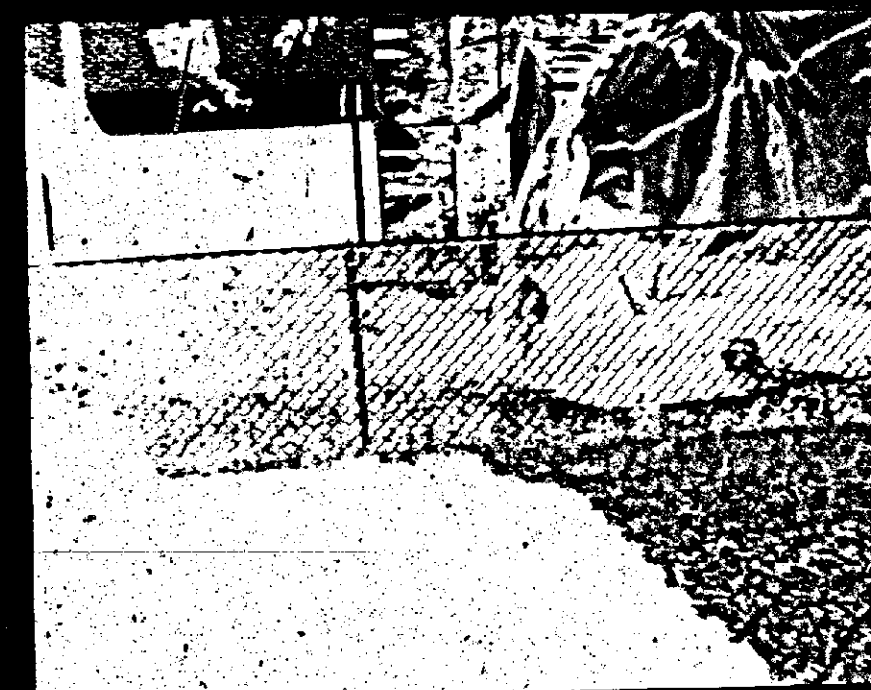
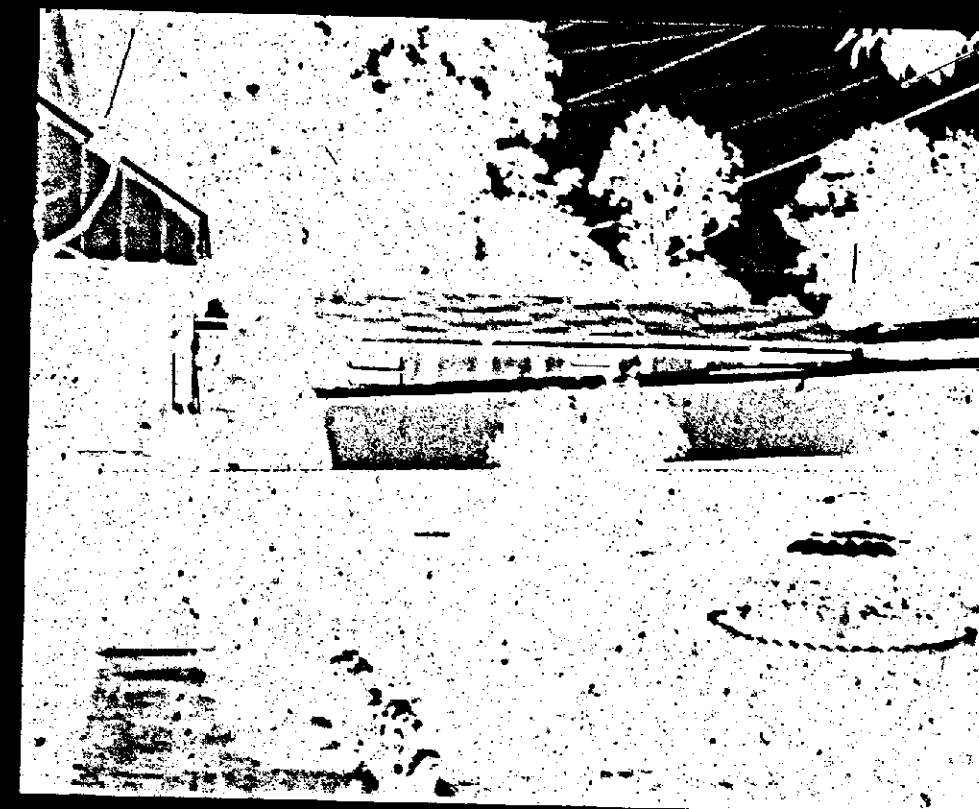
Mr. & Mrs. Tom Holwinski
1701-A Park Drive 21332

PETITIONER'S
EXHIBIT 7C

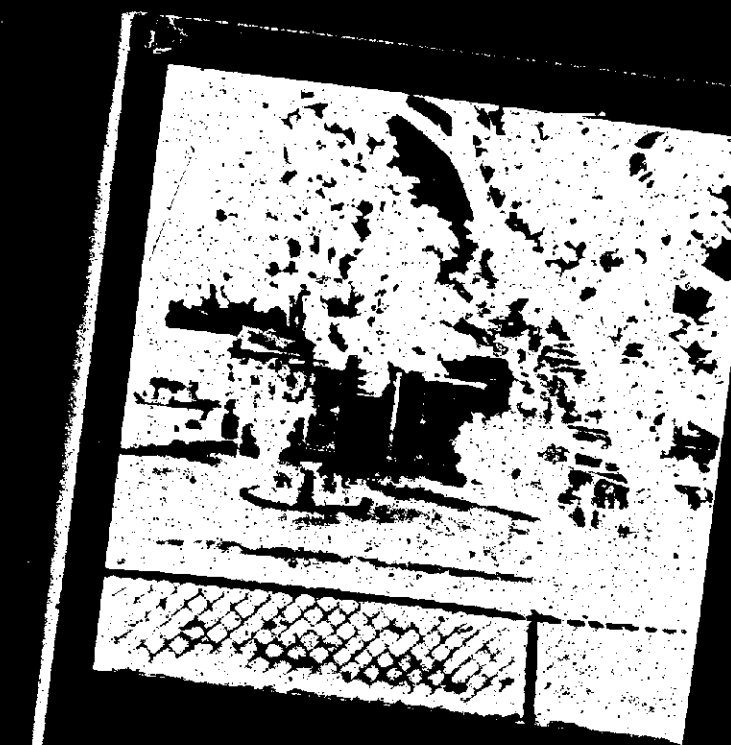
PROTESTANTS
PETITIONER(S) EXHIBIT (1)



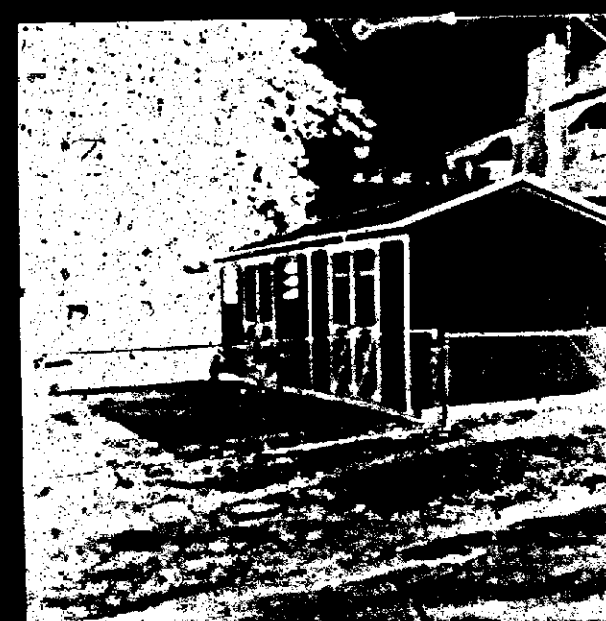
PROTESTANTS
PETITIONER(S) EXHIBIT (2)



PETITIONER(S) EXHIBIT (4)



PETITIONER(S) EXHIBIT (5)



PETITIONER(S) EXHIBIT (6)

